

Application No.: 10/802,544
Response dated: July 6, 2006
Office Action dated: March 6, 2005

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REMARKS/ARGUMENTS

Claims 10-33 are pending in the application. Claims 1-9 have been cancelled. Claims 19-20 and 22-33 have been withdrawn pending the allowance of generic claim 10. Claims 10-18 and 21 are rejected under 35 U.S.C. §102(b) as being anticipated by Tsujino et al., hereinafter ("Tsujino") US PAT. 6,034,843. Claims 14-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tsujino, in view of Foisy et al., hereinafter ("Foisy") US PAT. 6,061,206. Claim 21 is rejected under 35 U.S.C. §103(a) as being unpatentable over Tsujino in view of Foisy, and further in view of Applicant Admitted Prior Art (APA).

Claim Rejections under 35 U.S.C §102

Claims 10-13 have been rejected under 35 U.S.C. §102(b) as being anticipated by Tsujino et al., (hereinafter "Tsujino"), US PAT. 6,034,843.

Applicants submit the cited references do not teach, suggest or disclose "[a] method for manufacturing a magnetic head arm assembly (HAA) comprising: ... providing an actuator coil assembly, said actuator coil assembly having a first mating portion and a second mating portion..." (e.g., as described in claim 10).

The Office Action asserts element 21 of Tsujino describes an actuator coil assembly, said actuator coil assembly having a first mating portion and a second mating portion. (See Office Action dated 3/6/2006, page 2, paragraph 2). Applicants disagree.

Element 21 of Tsujino is described as a "comb type actuator arm". Figure 2 of is intended to show a "perspective view of the comb type actuator arm assembly 21". (See column 1,

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lines 45-46). In other words, the Office Action is alleging the entire structure 21 shown and described in Figure 2 is the alleged equivalent of the “actuator coil assembly” of embodiments of the present application. However, Applicants note that the element 13, or the “head/suspension assembly” 13 (the alleged equivalent of the “head gimbal assembly” of claim 10) *is manufactured as part of the comb type actuator arm 21*. Figure 2 clearly shows element 13 is a part of the total structure 21. This is in direct contrast to the specific description of the embodiment of claim 10, which describes the head gimbal assembly and the actuator coil assembly as *two separate structures*, to be *manufactured independently*, and *coupled* together during the manufacturing process. *See claim 10.*

Applicants submit neither element 13 nor the larger element 21 describe the head gimbal assembly nor the actuator coil assembly described in independent claim 1. Moreover, Applicants note that the Office Action fails to cite a portion of Tsujino describing the actuator coil assembly “having a first mating portion and a second mating portion” limitation altogether. Applicants submit this is for good reason. As described above, unlike the embodiment of claim 10, element 13 (“head/suspension assembly”) of Tsujino is part of the greater element 21 (“comb type actuator assembly”), and therefore there is no need for mating portions. Tsujino is not intended for independent manufacture and subsequent mating. Therefore, Applicants submit element 21 (“comb type actuator assembly”) cannot be the equivalent of the “actuator coil assembly” as described in embodiments of the present application.

The Office Action further includes altered illustrations of Figures 2 and 4 of Tsujino. *See* Office Action, dated 3/6/2006, pages 3,4. However, there is no support or citation from the Tsujino reference above and beyond the Office Action’s assertions that the labeled illustrations

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purportedly mirror the limitations described in embodiments of the present application.

Applicants submit this is improper. The Office Action's use of the Figures and associated citations must be supported by the reference itself in order to support a proper rejection.

However, assuming *arguendo* that the assertions were proper, the assertions would still be inadequate. As stated above, the embodiment of claim 10 describes "... providing an actuator coil assembly, said actuator coil assembly having a *first* mating portion and a *second* mating portion...". The first and second portions are *distinct*; hence the use of the terms "first" and "second". However, the Office Action's unsupported citations on the altered Figure 2 show that the cited "first mating portion" and the "second mating portion" *are part of the same structure* 14. Moreover, Applicants further submit that the Tsujino reference did not intend for these two purported, unsupported "elements" to be separate, or else it would have labeled it as such. Instead, both purported elements are part of the uniform single structure labeled as the comb type carriage 14.

As for the altered and unsupported assertions regarding Figure 4, Applicants submit that the Office Action merely shows a purported "first mating portion", without a second mating portion. Moreover, similar to above, the purported "first mating portion" is clearly part of the singular structure "coil support structure" 55. Neither the Tsujino reference nor the Office Action refers to any second portion whatsoever, and for good reason. There is none. Therefore, Applicants submit the Office Action's assertions based on altered Figures 2 and 4 are both incorrect and unsupported by the Tsujino reference, and therefore inadequate to support a proper rejection.

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In addition, the recent Office Action further asserts that Applicants argue the prior art fails to disclose the HGA and the actuator coil assembly are manufactured separately. *See* Office Action, dated 3/6/2006, paragraph 6. Applicants submit this mischaracterizes the arguments made above, and fails to account for all of Applicants' arguments regarding the deficiencies of the prior art. Moreover, Applicants respectfully submit the Office Action's unsupported opinion "[o]ne of ordinary [skill] in the art should know that the HGA and the actuator coil assembly should be manufactured separately and coupled together", absent any support from the cited reference is of no import as well. Applicant submits that in order for a claim to be rejected for obviousness under §102, each and every rejected limitation must be *found in the cited prior art*.

Therefore, since each and every element of claim 10 is not taught, suggested or disclosed by the cited references, Applicant respectfully submits that the §102(b) rejection is lacking and should be withdrawn. Claims 11-18 and 21 depend from and further define allowable independent claim 10 and therefore are allowable as well.

Claim Rejections under 35 U.S.C §103

Claims 14-18 have been rejected under 35 U.S.C. §103(a) as being anticipated over Tsujino et al., in view of Foisy et al. (hereinafter "Foisy"), US PAT. 6,061,206. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsujino et al. in view of Foisy et al., and further in view of Applicant Admitted Prior Art ("AAPA").

Claims 14-18 depend from claim 10, and the rejection of claim 10 based upon Tsujino fails for at least the reasons described above. Foisy fails to make up for the deficiencies of

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Tsujino. Foisy describes a head stack assembly for mounting to a pivot bearing cartridge in a disk drive, and does not describe any element equivalent to the "actuator coil assembly" of independent claim 10. Similarly, the AAPA does not describe any element similar to the actuator coil assembly of independent claim 10 as well. Therefore, similar to the 102(b) rejections, the §103(a) rejections should be withdrawn as well.

Moreover, Applicants respectfully submit the Office Action's unsupported opinion "[o]ne of ordinary [skill] in the art should know that the HGA and the actuator coil assembly should be manufactured separately and coupled together" is again of no import as well. *See* Office Action dated 3/6/2006, paragraph 6. *Applicant* submits that in order for a claim to be rejected for obviousness under §103, *the prior art itself* must teach or suggest each element of the claim and suggest combining the elements in the manner contemplated by the claim. *See Northern Telecom, Inc. v. Datapoint Corp.*, 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied 111 S.Ct. 296 (1990); *In re Bond*, 910 F.2d 831, 834 (Fed. Cir. 1990).

It is believed that this Amendment places the application in condition for allowance, and early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

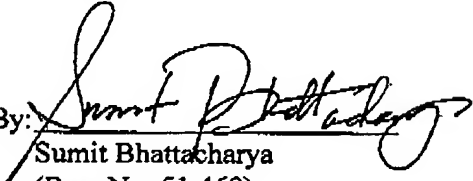
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The Commissioner is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP

Dated: July 5, 2006

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